

NOT YET APPROVED

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO APPROVING THE AMENDED AND RESTATED NORTHERN CALIFORNIA POWER AGENCY POOLING AGREEMENT AND ASSOCIATED SCHEDULES

WHEREAS, the City of Palo Alto ("City"), a municipal utility and a chartered city, is a member of the Northern California Power Agency (NCPA); and

WHEREAS, NCPA, acting on behalf of the City, schedules the City's electric load and resources within the California Independent System Operator Corporation (CAISO) balancing authority area pursuant to the terms of the CAISO Tariff; and

WHEREAS, City participates in an aggregated pooling arrangement, along with other NCPA members, namely the Cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, and Ukiah; Plumas-Sierra Rural Electric Cooperative; and Port of Oakland; and

WHEREAS, the NCPA Pooling Agreement of 1993 establishes the rules for participation in the NCPA pool, along with operational, billing and dispute resolution protocols; and

WHEREAS, NCPA and NCPA member staff have been working to update the Pooling Agreement to reflect the changes in market structure and interconnection agreements that have taken place since 1993, including formation of the CAISO; and

WHEREAS, at their September 26, 2008, Commission meeting, the NCPA Commission approved the Amended and Restated NCPA Pooling Agreement by Resolution.

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. The Council hereby approves the Amended and Restated Northern California Power Agency Pooling Agreement and its associated Schedules.

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SECTION 2. The Council finds that the adoption of this resolution does not constitute a project under the California Environmental Quality Act and the CEQA Guidelines and, therefore, no environment assessment is required.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
Senior Asst. City Attorney

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Director of Utilities

\_\_\_\_\_  
Director of Administrative Services



RESOLUTION 08-73

RESOLUTION OF THE COMMISSION OF THE NORTHERN CALIFORNIA POWER AGENCY  
APPROVING THE AMENDED AND RESTATED POOLING AGREEMENT

WHEREAS, Pooling Committee Members Alameda Power & Telecom, City of Biggs, City of Gridley, City of Healdsburg, City of Lodi, City of Lompoc, City of Palo Alto, Plumas Sierra Rural Electric Cooperative, Port of Oakland, and City of Ukiah have participated and been instrumental in addressing policies that have been amended and restated in the proposed Pooling Agreement; and

WHEREAS, the Northern California Power Agency has prepared the Amended and Restated Pooling Agreement that was reviewed by the specified Members Interim and/or Utility Directors': and

WHEREAS, each Members' individual General Counsel has had the opportunity to review and approve the Amended and Restated Pooling Agreement.

WHEREAS, the proposed Commission action to approve the Amended and Restated Pooling Agreement is not a "project" pursuant to CEQA as defined by title 14 CCR Section 15378 in that it has no potential for resulting in either a physical change in the environmental or reasonably foreseeable indirect physical change in the environment, and

NOW, THEREFORE, BE IT RESOLVED that the Commission of the Northern California Power Agency:

1. Approves the attached Amended and Restated Pooling Agreement with Alameda Power & Telecom, City of Biggs, City of Gridley, City of Healdsburg, City of Lodi, City of Lompoc, City of Palo Alto, Plumas Sierra Rural Electric Cooperative, Port of Oakland, and Ukiah.
2. Authorizes the General Manager to execute the Amended and Restated Pooling Agreement, with such minor modifications that may be necessary and as approved by General Counsel.

PASSED, ADOPTED and APPROVED this 26th day of September 2008, by the following vote on roll call:

|                 | <u>Vote</u> | <u>Abstained</u> | <u>Absent</u> |
|-----------------|-------------|------------------|---------------|
| Alameda         | Y           |                  |               |
| BART            |             | X                |               |
| Biggs           | Y           |                  |               |
| Gridley         | Y           |                  |               |
| Healdsburg      | Y           |                  |               |
| Lodi            | Y           |                  |               |
| Lompoc          | Y           |                  |               |
| Palo Alto       | Y           |                  |               |
| Port of Oakland | Y           |                  |               |
| Redding         |             | X                |               |
| Roseville       |             | X                |               |
| Santa Clara     |             | X                |               |
| Truckee Donner  |             |                  | X             |
| Turlock         |             | X                |               |
| Ukiah           | Y           |                  |               |
| Plumas-Sierra   | Y           |                  |               |

*Larry Hansen*  
LARRY HANSEN  
CHAIRMAN

ATTEST: *Denise Dow*  
DENISE DOW  
ASSISTANT SECRETARY